

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
MBHB Case No. 05-349

IN THE APPLICATION OF:

Thomas Farrell et al.

Serial No. 10/533,349

International App. No. PCT/IE2003/000148

International Filing Date: October 30, 2003

Title Method for Compensation of Degradation in  
Tunable Lasers

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)  
) Examiner: TBA  
)  
) Group Art Unit: TBA  
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**TRANSMITTAL LETTER**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In regard to the above identified application:

1. We are transmitting herewith the attached:
  - a. Response to Notification of Missing Requirements;
  - b. Executed Declaration and Power of Attorney;
  - c. Request for One-Month Extension of Time;
  - d. Copy of Notification of Missing Requirements and
  - e. Postcard.
2. With respect to additional fees:
  - a. X Attached is a check in the amount of \$250.00.
  - b. X Charge any additional fee or credit any overpayment to our Deposit Account No. **13-2490**. A duplicate copy of this sheet is enclosed.
3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

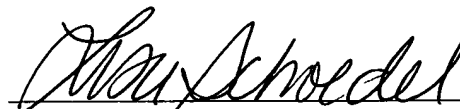
01/09/2006 MKAYPAGH 00000081 10533349

02 FC:1617

130.00 0P

Date: January 3, 2006

By



Lisa M. Schoedel  
Reg. No. 53,564

**McDonnell Boehnen Hulbert & Berghoff LLP**  
300 South Wacker Drive  
Chicago, Illinois 60606  
Telephone: (312) 913-0001  
Facsimile: (312) 913-0002

JAN 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Case No. 05-349

PATENT

IN THE APPLICATION OF:

Thomas Farrell et al.

Serial No. 10/533,349

International App. No. PCT/IE2003/000148

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Title Method for Compensation of Degradation in  
Tunable Lasers

Examiner: TBA

Group Art Unit: TBA

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Response to Notification of Missing Requirements Under 35 U.S.C. 371,  
dated October 17, 2005, there are enclosed herewith:

- (a) Declaration & Power of Attorney executed on behalf of Thomas Farrell, David McDonald and Thomas Mullane;
- (b) Our check in the amount of \$250.00 to cover the surcharge fee;
- (c) Request for One-Month Extension of Time; and
- (d) A copy of Notification for Missing Requirements.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to McDonnell

Boehnen Hulbert & Berghoff LLP, Account No. 13-2490.

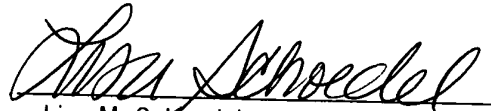
**McDonnell Boehnen Hulbert & Berghoff LLP**  
300 South Wacker Drive  
Chicago, Illinois 60606  
Telephone: (312) 913-0001  
Facsimile: (312) 913-0002

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully Submitted,  
McDonnell Boehnen Hulbert & Berghoff LLP

Date: January 3, 2006

By

A handwritten signature in black ink, appearing to read "Lisa M. Schoedel", written over a horizontal line.

Lisa M. Schoedel  
Reg. No. 53,564



## UNITED STATES PATENT AND TRADEMARK OFFICE

Received

JAN 2006

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/533,349	Thomas Farrell	05-349

20306  
 MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP  
 300 S. WACKER DRIVE  
 32ND FLOOR  
 CHICAGO, IL 60606

INTERNATIONAL APPLICATION NO.	
PCT/IE03/00148	
I.A. FILING DATE	PRIORITY DATE
10/30/2003	10/30/2002

CONFIRMATION NO. 7212

371 FORMALITIES LETTER



\*OC000000017150174\*

Date Mailed: 10/17/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/29/2005
- Copy of the International Search Report filed on 04/29/2005
- Preliminary Amendments filed on 04/29/2005
- Request for Immediate Examination filed on 04/29/2005
- Copy of references cited in ISR filed on 04/29/2005
- U.S. Basic National Fees filed on 04/29/2005
- Priority Documents filed on 04/29/2005

DOCKETED

OCT 21 2005

DUE DATE: 12-17-05  
 BY:

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/533,349	PCT/IE03/00148	05-349

FORM PCT/DO/EO/905 (371 Formalities Notice)